

October 29, 2009

Testimony of Michelle Rhee, Chancellor Meeting of the Council of the District of Columbia

Timeline

Timeline

March 20, 2009

Mayor submits city budget allocating \$562M to DCPS, to Council for 2010, consistent with 2009.

DCPS publicly states the intention to hire new teachers in a press release.

April 9, 2009

Chancellor appears before Council on FY10 budget proposal. At this hearing Chancellor and Council discuss the expansion of the Comprehensive Staffing Model to push more money to schools, the important impact of Out-of-School Time on achievement, and plans for improving special education and increasing professional development in 2010.

April, 2009

DCPS begins hiring process after establishing the need for up to 955 new teachers for hiring and under the guidelines of the DCPS Open Hiring Process according to WTU contract: April 15 - July 15 annually.

May 12, 2009

- Council proposes a decrease of \$27.5M from mayor's proposed \$562M DCPS budget, based on doubts about DCPS enrollment projections. Proposed cut projects enrollment at about 42,000, against DCPS projection of 45,054. DCPS enrollment as of October 5, 2009: 45,772.
- DCPS notifies Council in writing of the negative impact of the proposed reduction – DCPS would be forced to reduce its teaching staff by 338 teachers.

May 29, 2009

Chancellor and Chairman Gray met to discuss negative impact of proposed reduction and work out a solution.

June 1, 2009

As a result of May 29 meeting, Council sets aside \$3.3M in an agreement with DCPS and restores remaining funds.

June 2, 2009

Council issues press release announcing the agreement: “Gray Leads the Passage of FY 2010 Budget with Solution to DCPS Enrollment Dispute.”

Council passes a local budget of \$568M, an increase over 2009 of \$6.2M. DCPS total budget becomes \$797.7M, an increase over prior year of \$33M.

Based on the agreement, adopted budget, and WTU agreement, DCPS continues to meet schools’ hiring needs by hiring teachers through June and July.

DCPS fully anticipates that the \$3.3M set-aside will be restored to the DCPS budget if over 44,681 students enroll, as per the agreement.

June 22, 2009

District Chief Financial Officer announces a revised revenue forecast, projecting an additional city-wide \$150M loss in revenue for Fiscal Year 2010.

July 17, 2009

Mayor submits a revised budget for all agencies, including DCPS. Revised DCPS budget reflects the agreement reached on June 1, 2009 with the Council Chairman.

No further reduction to the DCPS budget was submitted or anticipated.

July 30, 2009

DCPS is ready to enter a new school year with each and every teacher in a funded position, having hired over 900 new teachers.

July 31, 2009

DC Council reduces DCPS budget to \$550M, \$18M less than the \$568 budget adopted on June 2 and eliminates the \$3.3 set-aside.

Reduction does not match agreement of June 2, and DCPS is funded at 44,308 students, rather than the agreed upon 44,681.

Per the WTU agreement, as planned DCPS mails notifications of placements to excess teachers.

August, 2009

DCPS and OCFO collaborate to analyze system needs based on the reduction and identify ways to balance the budget.

DCPS determines that it could not cut Summer School without dramatically affecting graduation rates, which our students cannot afford.

DCPS identifies total cost of additional resources (\$20 million).

September 11, 2009

DCPS Deputy Chancellor Kaya Henderson formally notifies in writing WTU Union President George Parker that to equalize the budget, we would need to reduce school staff positions.

September 16, 2009

DCPS meets with Union President George Parker to discuss the criteria and implementation of the reduction in force.

Mayor and Chancellor announce impending reduction in force pursuant to D.C. Official Code Section 1-624.02 and 5 D.C.M.R. §§ 1500 et seq.

October 2, 2009

Reduction in Force implemented.

October 29, 2009

Because the final budget funds for 44,308 students rather than the agreed-upon 44,681, with enrollment at 45,772, DCPS currently serves 1,464 students without city funding.

Accommodation of the Reduction

Responding to the Reality

- Pressures

- \$21M in Council cuts
- \$20M in additional resources
- \$3M in severance

Total: \$44M

- DCPS Solutions

- Cut Central Office budget by \$13M
- Cut school budgets by \$31M

Total: \$44M

Schools Received Revised Budget Allocations

- Schools were given revised budget allocations identifying their new budget targets based on:
 - Current enrollment (residency verified)
 - Additional resources
 - Formula reduction (Council cut to DCPS budget 7/31/09)

Principals Guided to Meet New Budget Allocations

- In September, school leaders were asked to identify positions (both filled and vacant) and NPS reductions to meet new budget allocations.
- Principals received guidance on how to complete the budget reduction exercise consistent with three broad priorities of the district:
 1. Preserve Comprehensive Staffing Model
 2. Comply with Legal/Programmatic Obligations
 3. Ensure that School Will Continue to Operate Effectively
- Principals were directed to talk about the budget changes with their school communities, including LSRT, parents, and building staff after they received their final budget adjustment.
- Schools worked with their instructional superintendents to develop school budget reduction plans. If a school's ultimate budget reduction plan included eliminating a filled position, it would be done through a Reduction In Force as authorized by DC Law and consistent with the Competitive Level Documentation Form process as defined by the DCMR.

Principals in Affected Schools Guided to Implement the RIF

- To implement position-based budget reductions, school leaders used a Competitive Level Documentation Form (CLDF) Reduction in Force (RIF) that would allow them to reduce staff based on factors not limited to seniority.
- A CLDF RIF has several distinct advantages over a “last-in first-out” RIF:
 - Allows staff within a particular school to be compared to each other to determine who will be affected by the RIF. This allows school leaders to make critical decisions about how to best staff their schools given budget shortfalls
 - Allows school leaders to consider the needs of the school and performance of staff, and is not limited to seniority
 - Ensures that changes at one school do not affect other schools

The CLDF Process

- The factors for a CLDF RIF are set by law.
- DCPS staff then defined these factors as they apply to the schools and the district in order to ensure consistency in definition and application across schools.
- DCPS met with the WTU about the items included for each factor and used their feedback to modify them.
- Weights were then assigned to each factor on which employees would be rated.
- Principals determined “competitive levels” for employees holding positions to be reduced. These levels were determined according to the DCMR. They were based on the pay plan and grade for each employee; the job title for each employee; and the subject level taught.
- After identifying a position to be reduced through the budget revision process, principals rated every person who filled a position within that competitive level.
- Principals came to DCPS Human Resources office and rated all persons holding a position in three categories, with the 4th determined by DCPS Human Resources.

Categories Used to Rate Staff

Factor	Weighting
Office or School Needs	75%
Relevant significant contributions, accomplishments or performance	10%
Relevant supplemental professional experience as demonstrated on the job	10%

DCPS Office of Human Resources calculated a fourth factor:

Length of Service (including credit for District residency, veteran's preference, and prior performance evaluations of "outstanding")	5%
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Staff Contributions to Needs of School

High Score	Low Score
Creating a classroom environment that supports student learning	Maintaining a negative classroom environment
Creating objective driven daily lessons	Teaching without lesson plans or failing to state an objective
Adopting an effective classroom behavior management system	Having no classroom behavior management system or implementing a system poorly

“As a result, you should only consider the impact that losing a particular position has on your school, as opposed to any consideration of who is in such positions. For example, which positions, if reduced, would have the least Impact on the school, e.g., teacher, aide, custodian, assistant principal, etc.”

September 18, 2009 – Memo to Principals from Jesus Aguirre, Director of School Operations

Timeline Snapshot of RIF Process

September 11 – September 15	Meeting with Principals to describe process In meetings, DCPS instructs principals to engage LSRTS
September 16	DCPS meets with the WTU to discuss RIF criteria
September 18	Additional guidance disseminated to principals
September 21 – September 25	Principals complete CLDF ratings
September 29 – October 1	“Reduction In Force Pre-Notification Planning” guidance distributed to principals
October 2	Separation letters distributed by principals at schools
October 2	Separation letters sent via FedEx to address of record for receipt on 10/3
October 4	Reminder to principals regarding security

Throughout this process DCPS met with the WTU to discuss on September 16, September 30, and October 5.

Clearing Up Misunderstandings

The RIF Did Not Target Veteran Teachers

Years of Experience of Employees Separated

- Only **7%** of teachers affected had experience of **25 years or more**.
- **54%** of teachers affected had experience of **10 years or less**.
- **39%** of teachers affected were in their **first five years of teaching**.
- **17%** of teachers affected were new hires; they were in their **first year of teaching**.

School Disruptions

- The majority of schools were not significantly affected by the reduction in force.

Number of Teachers Separated	Number of Schools
0	39
1	37
2	26
3	8
4	6
5 or more	12

Police Officers in Schools

- MPD was in schools on the day of the reduction in force. This was an **unfortunate coincidence**, as Hawk 1, which provided security for schools, went out of business the night before.
- **MPD acted quickly to step in with normal security** for the safety of students and staff.
- **Officers were not instructed to escort staff** from the building, stand at doorways or implement the RIF.
- The **vast majority of schools did not have security issues** on the day of the RIF. In all, we were alerted to 5 situations, 3 in which we found that MPD responded to related security needs (2 at McKinley and 1 at Roosevelt).

Private Dollars Could Not Have Prevented the RIF

October 16, 2009, Washington Post Retraction of Claim that Private Funders Would Have Covered Budget Gap

The Washington Post

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CORRECTIONS

Friday, October 16, 2009

-- A listing in Friday's Weekend section, which was printed in advance, included an incorrect image and caption with an item about the Great Falls Studio Tour. The image, Brian Petro's "Koi.3," is part of the Mid City Artists open-studio weekend, not the Great Falls tour. Also, Petro's studio is in Northwest Washington, not Great Falls.

-- The Robert McCartney column in the Oct. 15 Metro section incorrectly said that local philanthropy groups would have given D.C. Schools Chancellor Michelle A. Rhee \$12 million or more to cover a budget gap that she blamed for nearly 400 layoffs. Groups said they would have given her that much money if she cooperated better with them, but the money would have gone to support expenses such as professional development or after-school programs. Philanthropy groups typically do not donate money to cover schools' operating expenses.

Corrections from Business Leaders

"I spoke with Mr. McCartney before and after this article on donor relations and Chancellor Rhee. At that time, I told him that to my knowledge, there was no connection between the \$12M shortfall, the teacher layoffs, and the funding community. After the article was initially published, Mr. McCartney corrected it. Since then, I have heard nothing to the contrary from the funding community."

"I don't believe local foundations could ever have filled a \$12M budget gap this year - even with all the personal attention in the world."

I have no idea where the comment referred to as an FCC comment is coming from and that is not the position of the FCC. If we felt that way you would hear it from us and not from the Washington Post. Would be happy to talk to you about this at any time.

Use of Stimulus Funds to Stem Job Loss

- \$39.3M in state stabilization dollars is paying for teacher salaries in FY2010.
- The use of all formula stimulus funds (Title I and IDEA) must be consistent with all other statutory and regulatory requirements for the targeted program.ⁱ
- US Department of Education and OSSE should think about how to use its Title I, Part A ARRA funds on a short-term basis for activities that will have a lasting impact and avoid the “funding cliff.”ⁱⁱ
- DCPS is the only district in the country in high-risk status with the Department of Education for management of federal funds.
- We are not in a position to disregard these guidelines.

ⁱ From U.S. Department of Education, *Guidance: The American Recovery and Reinvestment Act of 2009 (ARRA) - Using Title I, Part A ARRA Funds for Grants to Local Educational Agencies to Strengthen Education, Drive Reform, and Improve Results for Students*, September 2, 2009.

ⁱⁱ *How to Effectively Manage Title I Stimulus Funds: An Overview*, OSSE Training/Info Sessions with LEAs, June 25, 2009 & July 7, 2009